

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69cv07941-BB

RIO CHAMA STREAM SYSTEM

Section 3, Canjilon Creek

APPLICATION FOR ENTRY OF DEFAULT

COMES NOW the plaintiff State of New Mexico, *ex. rel.* State Engineer, and requests the Clerk of the Court, pursuant to F. R. Civ. P. 55(a) to enter the default of the following named defendants and each of them for failure to answer or otherwise plead; and the undersigned certifies that no answer, appearance, or other pleading has been served upon plaintiff's attorneys.

<u>Defendant</u>	<u>Subfile No.</u>	<u>Waiver of Service of Summons Filed</u>
Marilyn Baldonado	CHCJ-003-0059A	Certificate of Service filed November 17, 2008 (Doc. 9324)
Joseph D. Montoya	CHCJ-003-0053	Certificate of Service filed November 20, 2008 (Doc. 9325)
Luggie Montaño	CHCJ-003-0039	Waiver of Service of Process filed January 29, 2001 (Doc. 6140)
Thomas Montaño	CHCJ-003-0039	Waiver of Service of Process filed January 29, 2001 (Doc. 6140)
Zaqueo Salazar	CHCJ-003-0059B	Certificate of Service filed September 26, 2007 (Doc. 8935)

Dated: November 21, 2008

Respectfully submitted,

/s/ Ed Newville

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 21st day of November, 2008 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM-ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Marilyn Baldonado
P.O. Box 80852
Albuquerque, NM 87198-0852

Josep D. Montoya
P.O. Box 561
Canjilon, NM 87515

Luggie Montañño
Thomas Montañño
5140 Lomas de Atrisco Rd., NW
Albuquerque, NM 87105

Zaqueo Salazar
P.O. Box 5217-USAFA
Colorado Springs, CO 80841

/s/ Ed Newville

EDWARD G. NEWVILLE